

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**INDICTMENT FOR CONSPIRACY AND
VIOLATIONS OF THE FEDERAL GUN CONTROL ACT**

FELONY

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO.
v.	*	SECTION:
MARK RICHBURG	*	VIOLATION: 18 U.S.C. § 922(a)(6)
BETTY RICHBURG	*	18 U.S.C. § 924(a)(2)
	*	18 U.S.C. § 371
	*	18 U.S.C. § 2
	*	*
	*	*

The Grand Jury charges that:

COUNT 1

A. THE CONSPIRACY

Beginning at a time unknown and continuing thereafter until on or about September 15, 2007, in the Eastern District of Louisiana, the defendants, **MARK RICHBURG** and **BETTY RICHBURG**, did knowingly combine, conspire, confederate, and agree with each other to make a false statement and representation with respect to the acquisition of a firearm, to wit: a Bushmaster model Carbon 15, .223 caliber pistol, serial number D09304, from Jefferson Gun Outlet, 501 David

Drive, Metairie, Louisiana, a federally licensed firearm dealer, where **BETTY RICHBURG** knowingly made a false and fictitious written statement to Jefferson Gun Outlet, which statement was likely to deceive Jefferson Gun Outlet, as to a fact material to the lawfulness of such acquisition of the said firearm by **BETTY RICHBURG**, under Chapter 44 of Title 18, in that **BETTY RICHBURG** answered “yes” to the question that asked if she was the actual buyer of the above listed firearm, when in fact, as she well knew, that she was purchasing the firearm for **MARK RICHBURG**, who is a convicted felon, in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2).

B. OVERT ACTS

In furtherance of the conspiracy and to accomplish the objectives thereof, the conspirators committed the following overt acts among others in the Eastern District of Louisiana:

1. On or about September 15, 2007, **BETTY RICHBURG** and **MARK RICHBURG** visited the Jefferson Gun Outlet, when **MARK RICHBURG** handled several firearms and asked store employees details about prices and shot capacities;
2. On that same date, **BETTY RICHBURG** executed a Department of Justice, Bureau of Alcohol, Tobacco, and Firearms Form 4473, a Firearms Transaction Record, which represented that **BETTY RICHBURG** was the purchaser of the firearm that, in fact, was purchased by and for **MARK RICHBURG**;
3. **BETTY RICHBURG** answered question number 9 of a Department of Justice, Bureau of Alcohol, Tobacco, and Firearms Form 4473, a Firearms Transaction Record, falsely by representing that she was the actual buyer of the firearm when in fact, **MARK RICHBURG**, a convicted felon and prohibited person, was the actual purchaser;

4. On that same date, **MARK RICHBURG** gave **BETTY RICHBURG** additional monies outside the Jefferson Gun Outlet to use to purchase the firearm;
5. On or about September 15, 2007, **BETTY RICHBURG** purchased the firearm for **MARK RICHBURG** from the Jefferson Gun Outlet;
6. On or about September 18, 2007, **MARK RICHBURG** dropped **BETTY RICHBURG** off at the Jefferson Gun Outlet, at which time **BETTY RICHBURG** retrieved the said firearm from Jefferson Gun Outlet on behalf of the actual buyer, **MARK RICHBURG**;

All in violation of Title 18, United States Code, Section 371.

COUNT 2

On or about September 15, 2007, in the Eastern District of Louisiana, the defendants, **MARK RICHBURG** and **BETTY RICHBURG**, in connection with the acquisition of a firearm, to wit: a Bushmaster model Carbon 15, .223 caliber pistol, serial number D09304, from Jefferson Gun Outlet, 501 David Drive, Metairie, Louisiana, a federally licensed firearm dealer within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to Jefferson Gun Outlet, which statement was intended and likely to deceive Jefferson Gun Outlet, as to a fact material to the lawfulness of such acquisition of the said firearm to **BETTY RICHBURG**, under Chapter 44 of Title 18, in that **BETTY RICHBURG** represented that she was the actual buyer of the above listed firearm, when in fact, as she well knew, that she was purchasing the firearm for **MARK RICHBURG**, who is a convicted felon, in violation of Title 18, United States Code, Sections 2, 922(a)(6) and 924(a)(2).

NOTICE OF GUN FORFEITURE

1. The allegations of Count 2 of this Indictment are realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 18, United States Code, Section 924 (d)(1) and Title 28, United States Code, Section 2461(c).

2. As a result of the offenses alleged in Count 2, defendants, **MARK RICHBURG AND BETTY RICHBURG**, shall forfeit to the United States pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28 United States Code, Section 2461, any firearm or ammunition, which was involved in or used in a knowing violation of Title 18, United States Code, Section 922(a)(6), as alleged in Count 2 of the Indictment.

3. If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any act or omission of the defendants:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 18, United States Code, Sections 922(a)(6) and 924(d)(1).

A TRUE BILL:

FOREPERSON

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New Orleans, Louisiana
December 7, 2007